OPTIONAL FO NO.-10 JULY 1973 F. JON GSA PPMR (AP CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

	wiemoranaum	DEPARTMENT OF JUSTICE
то	The Director Federal Bureau of Investigation	DATE: September 3 1976 b6 b7C RLT:KWM:CLJ:pcp
A	Richard L. Thornburgh Assistant Attorney General Criminal Division	12-18-707.
SUBJECT	Request for the F.B.I. to Invest Surrounding the Death of Kennet	tigate the Circumstances h G. Burnstine,
VI.		Zellou
	to begin an investigation into	stigation is hereby requested the death of KENNETH G. BURNSTINE obstruction of justice or viola-
	CHOIL OF CTATE TRAILED CHARACT	b3 b6 b7C
	the organized crime family in (NPV
	Mr. Burnstine was killed of his private plane which he was for the National Air Races.	on June 16, 1976 in a crash of piloting to Mojave, California
	Subsequently, information informant in Cleveland, Ohio the	was received through an F.B.I. pat
		s common knowledge that Burnstine b7D was going to the National Air
	Administration to investigate to I feel that an case and the F.B.I. should investigate to defendant is an organized crime Bureau is uniquely qualified to sabotage of an aircraft.	exception should be made in this estigate. The prime potential figure: Additionally, the investigate a death involving 1976
501	of Investigation immediately be death of KENNETH G. BURNSTINE, Autul to RA	requested that the Federal Burnegin an investigation into

FBI

TO: DIRECTOR, FBI FROM: SAC, CLEVELAND (2-57) (RUC) SUBJECT: UNKNOWN SUBJECT; INVESTIGATION OF THE CIRCUMSTANCES OBURNSTINE, BURNSTINE,	
TO: DIRECTOR, FBI FROM: SAC, CLEVELAND (2-57) (RUC) SUBJECT: UNKNOWN SUBJECT; INVESTIGATION OF THE CIRCUMSTANCES SURROUNDING. THE DEATH OF KENNETH G. BURNSTINE,	
TO: DIRECTOR, FBI FROM: SAC, CLEVELAND (2-57) (RUC) SUBJECT: UNKNOWN SUBJECT; INVESTIGATION OF THE CIRCUMSTANCES SURROUNDING THE DEATH OF KENNETH G. BURNSTINE,	- - -
TO: DIRECTOR, FBI FROM: W SAC, CLEVELAND (2-57) (RUC) SUBJECT: UNKNOWN SUBJECT; INVESTIGATION OF THE CIRCUMSTANCES SURROUNDING THE DEATH OF KENNETH G. BURNSTINE,	
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INVESTIGATION OF THE CIRCUMSTANCES SURROUNDING THE DEATH OF KENNETH G. BURNSTINE,	
OBSTRUCTION OF JUSTICE	þ
OO: Los Angeles	
For information of the Bureau and Los Angeles, recontact by Special Agent with which source is closed in the Cleveland Division, obtained no new information relative to captioned matter. Source firmly believes that JOHN NARDI did, in fact, have BURNSTINE killed, but has no proof or other information relative to this, Source will contact the Cleveland Division should he obtain any new information relative to captioned matter.	b6 b7 b2 b7
Review of Cleveland file 2-57 and all information obtained relative to captioned matter by the Cleveland Division contradicts information contained in letter dated 9/3/76 to Director, FBI from RICHARD L. THURNBURGH, Assistant Attorney General, Criminal Division, Department of Justice. THORNBURGH in his letter to the Director, stated that an associate of NARDI's advised that when NARDI was in Las Vegas during the Teamster convention, he had someone go to Chino Airport in California and tamper with BURNSTINE's plane. The source said that NARDI did, in fact, go to California while in Las Vegas during the Teamster convention or that he hired someone to go to California to Tamper with BURNSTINE's plane.	
2 - Bureau EX-113 2 - Los Angeles 1 - Cleveland JGM:sar (5)	6

36 OCT 15 1976

CV 2-57

He did advise that there was a possibility that NARDI could have arranged for BURNSTINE's death while being in Las Vegas.

Should the Cleveland Division obtain any new information relative to captioned matter, it will immediately be furnished to the Bureau and Los Angeles.

Airtel

DE-21);	9/15/76
From: Director FBI 72-231/-	1 - FOF
DYKHOWN SUBJECT; TAVESTIGATION OF THE CIRCUMSTANCES SURROUNDING THE DEATH OF KENNECH G.	2 00 b7D
OBSTRUCTION OF JUSTICE OO: LOS ANGELES	

Enclosed for receiving offices is one copy each of a letter dated 9/3/76 to Director, FBI, from Richard L. Thornburgh, Assistant Attorney General, Criminal Division of the Department, requesting investigation in captioned matter.

Los Angeles thoroughly review the enclosed letter. Contact appropriate officials of the Federal Aviation Administration, Van Nuys, California, and secure a copy of the investigative report concerning the airplane crash death of Kenneth G. Burnstine on 6/16/76 at Mojave, California. Contact U. S. Attorney and advise him of this investigation. Los Angeles is instructed to coordinate this matter with auxiliary offices in order to resolve this case at the earliest possible time.

Receiving offices review case entitled,

Et Al, Neutrality Matters*

, for limited information regarding Burnstine's airplane crash.

Los Angeles promptly handle.

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FBI

FBI/DOJ

Airtel

10/7/76

SAC, Miami To:

Director, FBI From:

1 - FOF

UNSUB;

INVESTIGATION OF THE CIRCUMSTANCES SURROUNDING THE DEATH OF KENNETH G.

BURNSTINE,

OBSTRUCTION OF JUSTICE

00: LOS ANGELES

ReLAairtel to the Bureau dated 9/30/76.

Enclosed for Miami is one copy of an LHM dated 9/30/76 at Los Angeles.

Charles L. Jaffee, Attorney, Criminal Division of the Department, advised Karen Atkinson, Assistant U. S. Attorney, Miami, Florida, is the person responsible for prosecution of the Federal narcotics case in which Kenneth G. Burnstine was to be a witness. Miami is requested to furnish Atkinson with a copy of the enclosed LHM.

Assoc. Dir. Dep. AD Adm.__

Laboratory _

Legal Coun. Plan. & Eval. .

For information of Miami and Los Angeles, the Department has been requested to advise what, if any, further investigation is desired in this matter.

Enclosure

- Los Angeles (72-186) (Info.)

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for/nh

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F B I

Date: 9/30/76

/Transmit the following in _ (Type in plaintext or code) AIRTEL AIR MAIL (Precedence) TO: DIRECTOR, FBI FROM: ADIC, LOS ANGELES (72-186) (C) SUBJECT: UNSUB: Investigation of the Circumstances 12, ENC 3/2,20, Surrounding the Death of KENNETH G. BURNSTINE, Decensed OBSTRUCTION OF JUSTICE 00: Los Angeles Re Bureau letter to Los Angeles, dated 9/15/76. Enclosed are six (6) copies of a letterhead memorandum (LHM) relating to captioned matter, dated and captioned as above. Inasmuch as the Cleveland and Miami Divisions received an information copy of referenced communication, one (1) copy of above noted LHM is being designated for each of those divisions for information purposes. It will be noted that investigation in this case was initiated at the request of RICHARD L. THORNBURG, Assistant Attorney General, Criminal Division, United States Department of Justice, which request was set forth in letter dated 9/3/76, and set forth as attachment to referenced, communication. - Bureau (Encl. 6 Cleveland / 1 - Cleveland (Encl. 1) (Info) 4 OCT 4 1976 1 - Miami (Encl. 1)(Info) 1 - LosAngeles

RLB/aml (6)

Sent ______ M Per _____

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LA 72-186

Records of the Los Angeles Division reflect case captioned, "KENNETH GORDON BURNSTINE, aka, CAA -CARRYING WEAPON ABOARD AIRCRAFT; OO: Los Angeles," Los Angeles file 164-1392. Investigation in this case concerned the attempt of BURNSTINE to board Hughes Air West flight 882, at the Orange County Airport, Santa Ana, California, on 1/19/76, carrying a loaded automatic pistol. The office of the United States Attorney at Los Angeles, California, subsequently declined prosecution of BURNSTINE. Los Angeles Division records also reflect case captioned, ET AL, NEUTRALITY MATTERS," wherein the Bureau was furnished copies of an article appearing in the 6/19/76, issue of the Herald Examiner, a leading Los Angeles daily newspaper. This article quoted FAA Investigator as stating that BURNSTINE's death was "accidental" and that "We have ruled out any possibility of sabotage."



In Reply, Please Refer to File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION Los Angeles, California September 30, 1976

b6 b7C

UNKNOWN SUBJECT; Investigation of the Circumstances Surrounding the Death of KENNETH G. BURNSTINE,

OBSTRUCTION OF JUSTICE

Submitted as attachments to this memorandum are photocopies of reports listed as follows:

- 1. Factual Aircraft Accidental Report, compiled by the Federal Aviation Administration (FAA), 8 pages.
- Kern County (California) Sheriff's Aircraft Accident Report, 5 pages.
- 3. Statements of four witnesses, 4 pages.
- 4. County of Kern (California) Autopsy Report, 2 pages
- 5. County of Kern (California) Coroner's Report 2 pages

All of above reports relate to the crash of a North American P-51D aircraft, Serial Number 44-7476N, on June 16, 1976, at approximately 5:30 PM, approximately two miles east of Mojave Airport, Mojave, California, resulting in the death of the pilot of this aircraft; Kenneth Gordon Burnstine All of above reports were furnished by

FAA, General Aviation District Office, Suite 316, Hathaway Building, 7120 Hayvenhurst Avenue, Van Nuys, California, 91406, telephone (213) 997-3191.

further advised as follows:

ENCLOSURE

72-2391-

b7D

UNKNOWN SUBJECT;
Investigation of the Circumstances
Surrounding the Death of
KENNETH G. BURNSTINE,

OBSTRUCTION OF JUSTICE

b7D

He, with other FAA personnel, on June 16, 1976, was at the Mojave Airport, at Mojave, California, in connection with the National Air Races held at this location on June 18 - 20, 1976. Although he was not an actual witness to the crash, he proceeded directly to the scene of the crash, and was among the early arrivals at this location. BURNSTINE was well known to the many people interested in the National Air Races. He was considered to be a daring but competent pilot, well qualified to race his highly modified P-51 aircraft. Many persons in aviation knew of BURNSTINE's reputation as a drug smuggler and it was no secret that BURNSTINE

b7D

advised that because of this background, he made certain that his investigation was conducted with painstaking care. He noted, for instance, a rumor quickly circulated that the body recovered in above crash was not a that of Burnstine. Though the body was terribly mutilated, part of the right thumb was located and eight identical points of comparison were made between the print of this thumb and the known right thumbprint of Burnstine. He also noted that Burnstein's address book was found at the crash scene and was retained by the Kern County Sheriff's Office. He further noted that the repair work done on Burnstine's airplane on the day prior to above noted crash, would not have affected the flying characteristics of the airplane.

b6 b7С

advised that it is his opinion that
Burnstine, fully aware that many aviation buffs had already
arrived at Mojave Airport, and with no advance planning,
decided to demonstrate the speed of his airplane by making
a fast run at low altitude over the runway at Mojave. From
the statements of witnesses, it was apparent that the "Split S"
maneuver executed by Burnstine was done at such high speed
and low altitude that he simply ran out of airspace before
completion of the maneuver. In effect, it was the "ultimate
mistake," and nothing discovered in the course of the
investigation indicated any other conclusion.

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DUAL PIC DUAL		LA	ST 24 HOURS	LAST 90			TOT	AL TO D	ATE		
1 THIS MAKE AND MODEL 2. NIGHT (AN Models) 3. DAY (AN Models) 4 HIST PUMENTS SUBJECTOR TIME 5. SINGLE ENG. FIXED WING 6. MULTI-ENG. FIXED WING 7. GLIDER 8. ROTORCRAFT 9. OTHER TOTAL FLIGHT TIME (5, 6, 7, 8, 9)	PILOT TIME	DUAL	PIC	DUAL	PIC	DUA	L	PIC.	TOTAL		
2. NICHT (All Models) 3. DAY (All Models) 4. HISTOMENTS ACTUAL 5. SINULATED 5. SINULATED 5. SINULATED 6. MULTIENG, FIXED WING 7. GLIDER 7. GLIDER 8. ROTORCRAFT 9. OTHER 7. OTHER (Specify) 7. TOTAL FLIGHT TIME (5, 6, 7, 8, 9)	THIS MAKE AND MODEL			T	l						
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SOURCE OF TIME SOURCE OF TIME LICOT FLIGHT TIME LICOT/OPERATOR EST.				ib. Minterprese V.	₹ ¹² 7						
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BLOT/OPERATOR EST. B. ROTORCRAFT 9. OTHER TOTAL FLIGHT TIME (5, 6, 7, 8, 9)	C FILOT FLIGHT TIME	1	**		• •						
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Par	G - WEATHER AT TIME AND PLA	CE O	CIDENT					
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reporting inspector.	OTHER	FT.	LIGHT & VAF		Ð			
TURBULENCE	LIGHT CONDITIONS		VISIBILITY		ALTIMETER S	CT.		
		CUT	1					
JHONE DIGHT DMODERATE			50	MILES	Unknown	HG.		
ISEVERE DEXTREME	DAYLIGHT DARK NIG	HT	30		DEW POINT			
MEATHER CONDITIONS AND VISIBILIT	Y RESTRICTIONS		TEMPERATUR	(E.	DEW POINT			
Troc Orain Hisnow Os	LEET OFRCEZING OTHUNDER	STORMS	Estimate	d		•		
CHAZE DHAIL USMOKE DE		NDITIONS	89	°F	Unknown	°F		
	Part H - FLIGHT PLAN INFO	RMATION						
SEPARTURE POINT	DATE AND TIME OF DEPARTURE	DEST	HOITAM		ETA	If any)		
	06-16-76, Approx. 1700	Not	ave, Call	ornia	Unk	moun		
Chino, California	SERVICE PRIOR TO LAS	, -			LAST TAKEOP	F		
THERMEDIATE POINTS OF LANDING	SERVICE PRIOR TO LAS	TAKEOF	1					
None	Unknotm		Unkı	CALS/	LBS.	GRADE		
FLICHT PLAN FILED: DNONE DVFR	DIFR DSPECIAL VER DOTI	HER:		***************************************				
DESCRIBE WEATHER BRIEFINGS OBTA	INED (From whom, when, where and h	ow received	AND ENROUT	E WEAT	HER REPORTS	REC'D.		
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	art I - COMPONENT/SYSTEM FUNC	TIONAL F	AII UBE		 			
FINO TYES (If "Yes", give part name,	ent 1 - COMPONENT/SYSTEM FONC	HOWALIA		TIM	E ON PART			
TA CITES (I) "Yes , give part name,	mjr., pare no., seriai no., etc.,		TOTA	L	SINCE OVERHA	UL.		
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	Part J - AIRCRAFT AND GROU	FIRE	GE DNO	OIN F	FLIGHT			
DEGREE OF AIRCRAFT DAMAGE	Пиоме	FIRE	. ∐ivo	-	GROUND			
DEMOLISHED DSUBSTANTIAL	MINOR DIONE		13.00	_				
DESCRIBE GROUND DAMAGE (If any)	•							
None - Crash site was loo	ated on the Mojave Desc	rt.						
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	IRLCKAGE WA	Part K -	AIRPLANE W	RECKAGE EX	AMI JON	ULS III NARE	ATIVE			
if W	HECKAGE WA	SWOAFD	TYPE OF LAN		FUEL SELEG	un	VACUUM SELECTOR			
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ENGINE	NO. 1	<u> </u>			Up.		Locked Locked			
	NO. 2		RIG		Up		_1.32: -133: -			
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FLIGHT CONTROL SYS	rem	7:53	LANDING		Unknown	Ł	Unknown	•		
ENGINE CONTROLS		75.6								
NDING GEAR SYSTE		(;;	INDIC		Unknowa	!	Unknown			
-SRIZONTAL STABILIZ	ZERS	<u>:3).</u>	1				WING FLAP			
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ZEPTICAL STABILIZER	RS	1;;			Unimera	,		į		
- JODEP/RUDDERVAT	ORS	15	ŪZ UP		VI		ONTROLS			
L	RUDDER	,,		t t manual		DOALCO	OPERATIVE			
TRIMTABS	ELLVATOR	~	L) DOWN	Amount)	INSTALLED	-	_	□ YES		
	ĄĮĻĘRON	•~			Ū NO □	YES	□ NO	L 763		
LEFT WING		177	TRIMTAB		RIGHT	LEFT	FIVED	TRIM		
LEFT FLAP		CZ.	POSITIONS (Deflection	NEUTRAL	OR UP	OR DOWN	FIXED	SETTINGS		
LEFT AILERON/SPOILS	R,	<u> </u>	Angle)							
LEFT WING STRUTS		-	RUDDER							
FIGHT WING		(3.	ELEVATOR		Unlenown		<u> </u>			
FIGHT FLAP										
PIGHT AILERON/SPON			No. install	No. Used	No. Separated					
FIGHT WING STRUTS			SEAT	2			Unknow	a due to		
	IFUEL		BELTS			1	ccckpit	t damage		
	. DIL	170-	1.		₹ **					
	ELECTRIC	*F3*FA		2	127		Unknow	n due to		
SYSTEMS	HYDRAULIC	250	SHOULDER		1 1	Ţ	cockei	t damage		
01012000	ANTI-ICE	Tru-	HARNESS	[-	_		_			
	VACUUM	 -					Unknown due to cockpit demáge			
	PNEUMATIC	7	SEATS	2	1	1				
	PIVEOWATIC		1 32777	2	_ ~	_		,		
STHER (SPECIFY)		THE .	 	ON BOARD	USED	SED REMARKS (Quantity)				
CIMER (SPECIFY)		}	OXYGEN		No Lyes	Destroy	ter an			
			UXTULIT	□ No 🍳 Yes	∐No ∐Yes	64mc	ed by make	ice cua		
- CABIN	INSTALLED	REMARK	s							
PRESSURIZATION	ØNo □Yes		•							
EMERGENCY	ON BOARD	AIDED SE	ARCH/LOCAT	1014	REMARKS					
LOCATOR TPANSMITTER	□No □Yes	□ No □	Yes		Unimoun due to desege					
		Pa	ert L - COCKP	T DOCUMEN	TATION					
	.,	COMMU	INICATIONS A	ND NAVIGAT	ION SETTINGS					
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- 6120,4 PAGE 4 (9-72) Supersed is Previous Edition

NOTE: N/A = NOT APPLICABLE, N/O - NOT OBTAINED

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	Part O - INSTRU	MENT READING	
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	Part P - POWER PLAN	T CONTROL SETTINGS	
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Throttle Control -	eliti koznaca		
Propeller Control -	Full Aft		
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	Part O - FLIGHT CONTROL - I	DEICER - ANTI-ICER SETTINGS	
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's AND CHARLEST ANGES	
PORT U - NARMATIVE STATEMENT OF PERTINENT FACTS, CONDITIONS, AND CHICUMSTANCES	b6
1 1200 per M690F, a North American P-210,	b7C
RESURE: On June 16. 1976, at approximately 1700 rbs. Majave, California. departed Chino Airport, Chino, California, for Mojave Airport, Mojave, California.	\ .
departed Chino Airport, Chino, California, for mojave Airport, taget of the direction arrival over Mojave, N69QF, crashed killing the pilot and destroying the air-	1
{ craft.	ll
HISTORY OF FLIGHT: of Unlimited Aircraft, Inc., Chino,	1
	1
California, reported that N69QF arrived at Callo Airport on the following day, parked outside of the Unlimited Aircraft Hangar that night. On the following day,	a 🗿
parked outside of the Unlimited Aircraft hangar that higher the hangar. On June 15 and June 14, 1976, until June 16, 1976, N69QF remained inside the hangar. On June 15 and June 14, 1976, until June 16, 1976, Negotr remained inside the hangar.	1
June 14, 1976, until June 16, 1976, Result restrict that the engine was uncowled and 16, 1976, maintenance was performed on the aircraft. The engine was uncowled and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned; coolant temperature indicator was replaced; hose clamps were tightened, and cleaned indicator was replaced; hose clamps were tightened in the cleaned indicator was replaced; hose clamps were tightened in the clamp	
cleaned; coolant temperature indicator was replaced reported that	3//
the water pump for the spray bar was replaced. reported that replaced the water pump and was the last person to work on the aircraft.	
	\perp
also stated that he personally checked the allefornia for Mojave, installed them in the aircraft on the day it left Chino, California for Mojave,	
1 California $1 + 1 + 1 + 1 + 1 + 1 + 1 + 1 + 1 + 1$	
Burnstine generated Chino Airport at	Τ'
approximately 1700PDT on June 16, 1976, and flew in formation to Mojave Airport.	
approximately 1700PUT on June 16, 1976, and lieu in formation to held to held a North piloted a North American P-51, N5441V, and Mr. Burnstine piloted a North Americ	*
piloted a North American P-51, Nosette, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51, N690F. [further stated, "I was in trail with him (Burn-American P-51,	'
Con Toyot - the Zou Kilves with	ļ
stine) overhead of Mojave at 8,000 feet (Mean Sea Level), intotal and down on the rose Burnstine called over the radio he was going to full power and drop down on the rose Burnstine called over the radio he was going	
course. He pulled shead of the and dit a type of the put did so	
avoid fast when he modified it over. I want to control over one cuertor roll (left)	
pull out and ée, a complete roll (lett) mines et louise on the radio and said, then hit the ground. Inrough this last roll ne called on the radio and said,	1
then hit the ground. Intolyn this last four in the said."	
the control of the co	į.
	ľ
Airport, he can two P-51's flying over together meterny in a not headed toward the After passing over the airport they made a descending left turn and headed toward the After passing over the airport they made a descending in an easterly direction	e
After passing over the simport they made a casement for the term the simport they made a casement in an easterly direction grandstand. As they passed over, one aircraft continued in an easterly direction (N5441V). The	
grandstand. As they passed over, one alternate contains an execution (N5441V). The (N69GF) and the other broke off and headed in a southerly direction (N5441V). The	•
(N69%) and the other broke pil and neget in a souther a split "S" turn, aircraft in the easterly direction relied over and started a split "S" turn,	
aircraft in the easterly direction rolled over and tractite agree to make to complete the stated he could picture the arc that the aircraft had to make to complete the	
the maneuver. He knew that the pilot did not have the wood half of the airspace	1
split "S". The aircraft was folkering downward to pull up and then snap over and	
available. The aircraft rolled 1800 and started to part up	
headed toward the ground.	h
an aircraft manufacturer, stated, "I was watching the two P-51's with	
an aircraft manufacturer, stated, I was naturally the aircraft binoculars. Ro aircraft structures or parts were observed departing the aircraft until the time of impact. There was no visible fire or flames until the instant of	
until the time of impact. There was no visite 2220	,
impact with the ground."	
Witnesses and FAA Inspectors at Mojave Airport observed the time of impact to be	
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CREW INTORMATION: According to FAA, Airman Certification Branch, Oklahoma City,	
CREW INTERNATION: According to FAA, Airman Certification Braining Transport Pilot Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of Airline Transport Pilot, Oklahoma, Mr. Kenneth Cordon Burnstine Washington and Sea ratings, Convair TBY-5, Oklahoma, Mr. Kenneth Cordon Burnstine Washington and Sea ratings, Convair TBY-5, Oklahoma, Mr. Kenneth Cordon Burnstine Washington and Cordon Burnstine Washington	
Oklahoma, Mr. Kenneth Cordon Burnstine was the holder of the ratings, Convair TBY-5, Certificate #1413095 with Airplane Multiongine Land and Sea ratings, Convair TBY-5, Certificate #1413095 with Airplane Multiongine Land and Sea ratings, Convair TBY-5,	le
I lockhaed I-13 and Douglas bund type tacking to	
I Product and and Douglas Rack CVDC PSCINGU.	
No record of pilot time or evidence of a biennial flight review, as required by	
No record of pilot time or evidence of a standard sequence that the pilot logbook Federal Aviation Regulation 61.57 was found. It is presumed that the pilot logbook	
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MILBIO - CHICA MAGE S (V. 72) September Previous Edition

Part U - NAI TIVE STATEMENT OF PERTINENT FACTS, CONSITIONS, AND CIRCUMSTANCES
was destroyed in the aircraft; however, an Annual Proficiency Check is required of the Professional Race Pilots Association prior to a pilot being able to enter a race.
AIRCRAFT INFORMATION: According to the FAA, Aircraft Records Branch, Oklahoma City, Oklahoma, North American P-51, N690F, was last registered to Aircraft Holding Company, Inc., 126 SE 2nd. Street, Miami, Florida, and held a Limited Airworthiness Cartificate dated October 1973.
An aircraft logbook found at the scene of the accident showed that North /merican P-51, N69QF, Serial Number 44-74756N, had been inspected in accordance with an Annual Inspection on September 6, 1975, and was determined to be in airworthy condition. This inspection was performed by
The total time recorded in the aircraft logbook showed 939.4 hours as of September 6, 1975. No record of time was found after that date.
Weight and balance data on N69QY found at the scene showed that the aircraft was last weighed on August 29, 1973, by
METROROLOGICAL INFORMATION: Mojave Airport did not have an official meteorological conservation. The weather observed by FAA Inspector at approximately 1730 PDF on June 15, 1976, was sky clear, visibility over 50 miles, wind 260 degrees true at 25 knots with gusts to 40 knots, temperature estimated 85 degrees Fahrenheit. Altimeter setting and dew point is unknown.
It is unknown as to the weather briefing obtained by the pilot.
URECKACE: The aircraft struck the ground on a heading of approximately 050 degrees magnetic. At the point of impact, it was found that the basic part of the crater was approximately 3 feet in depth and tapered out in an east-northeasterly direction to a depth of two to three inches. From this crater, wreckage of the aircraft was spread out over an area approximately 251 yards with a center line of approximately 070 degrees magnetic, and farmed north and south approximately 97 yards.
Major aircraft component nearest this crater was the propeller, hub and gears, followed by the right engine bank, right main landing gear, left engine bank and engine cowl. These components followed a line of approximately 070 degrees magnetic in direction. The cockpit was destroyed.
The fuselage aft of the trailing edge of the wing and empenmage section were dimaged. All major components but the upper rudder cap were in place. The upper rudder cap was located nearby.
PAA Inspectors and returned to the accident site on June 17, 1976, to reconfirm the fact that all control surfaces were present at the impact site and that no evidence of control jamaing was present.
(continue)
ft'Sti Form 6120 4 PAGE B (9-72) Supersedes Provious Edition (1)

Part U - NAR , IVE STATEMENT OF PERTINENT FACTS, CON TONS, AND CIRCUMSTANCES
Inspector stated, "Our inspection revealed that all portions of the elevator and elevator counter weights, ruider and alleron control surfaces were present at the impact site. The rudder and elevator controls appeared to have been attached to their respective stabilizers at impact and the empennage control rods and belt cranks were attached to the respective control in the aft fuselage section. Damage to the control surfaces precluded determination of whether or not rudder and elevator controls were capable of making full control surface movement appearance respective.
I could find no evidence to support a theory of control surface separation prior to impact or control surface jaming."
It is not known whether N69QF was equipped with an Emergency Locator Transmitter (CLT); however, none was required per 14 CFR 91.52 (f) (8) as this aircraft was used for the purpose of air racing.
After completing the on-scene investigation, the wreckage was released to who identified himself as being a member of the ground crew assigned to N69CF.
FIFE: After impact the aircraft exploded and was destroyed by fire.
FEDICAL AND PATHOLOGICAL INFORMATION: According to the FAA, Aeromedical Certification branch, Oklahoma City, Oklahoma, Kenneth Gordon Burnstine held a Second Class Hedical Certificate issued on September 4, 1975, and had no limitations on that Certificate.
An autopsy performed by the Kern County, California, Deputy Coroner Pathologist, Richard Pihl, M.D., gave an anatomatical diagnosis of the cause of death: Multiple extreme injuries due to blunt force trauma, multiple skeletal fractures, lacerations of the skin, evulsion and laceration of the organs and tissues.
Expeld Wiggington, Deputy Coroner, Kern County, California, reported that no texicological tests were conducted as no usable body fluids including blood or urine could be extracted.
CURVIVI, /SPECIF: This was not a survivable accident.
ADDITIONAL DATA: No NTSB Form 6120.1, Pilot/Operator Aircraft /ceident Report was
THIS REPORT CONSISTS OF B PAGES. Part V - ADDITIONAL PERSONS PARTICIPATING IN THIS INVESTIGATION
NAME, ADDRESS, AND AFFILIATION
Federal Aviation Administration General Aviation District Office #1 7120 Hayvenhurst Avenue, Suite 316 Van Nuys, California 91406
Part W - INVESTIGATED BY SIGNATURE
8/2/76 Federal Aviation Administration
FST'SB Form 6120,4 PAGE 9 (9-72) Supersedes Previous Edition

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Make I Original and 5 Carbon Copies of Each Report Case # KERN COUNTY SHERIFF'S OFFICE AIRCRAFT ACCIDENT REPORT Accident Address ! Reported by Mojave Discretcher Phone No. Date Reported 6-16-76 Time Reported _ (A. M. -P. 1) Airplane Make and Identification No. N 6907 F-51-D Sincle engine Musteng Airworthiness Date: Date of Time of Accident 6-16-76 Accident 1725 Location of Accident: Two miles east of Mojave Airport and one mile north of Highway 55 Owner of Aircraft Military Aircraft Intl. Inc. Address of Owner 126 SE 2nd Street L. Hiami Florida Name of Pilot's License No. 1413095 Total Flying Hours Pilot Kennath Gordon Burnstine Address: 1011 N. Bavshore Cront . Hours in this Type Plane ___ Balbea Island, California Aircraft Damage: Total Loss Pilot's Medical Date: __10-75 Number of Number of 114 3700 2 Crew____ Moné Wone . . gradianie a Passengers _ Number of Serious Injuries <u>None</u> Minor Injuries <u>None</u> Fatalities List of Passengers: Names Addresses None (Additional names and addresses listed on reverse side) Description of Accident, i.e. Maneuvers, etc. just prior to accident; condition of plane, etc.: See special Report

(Additional information listed on reverse side) Witnesses and/or informants furnishing foregoing: Names Addresses See Special Report Remarks

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	5'9", 180, brn and brn	5.
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•	Identification Number: M500F	The Carlotte in the
	Sarial Number: 44-747561	ete e e e e e e e e e e e e e e e e e e
	F-51 D	
	Registered to: Military Aircraft International, Inc.	
	126 SE 2nd St., Miami, Florida	
	Commonly known as a P-51 Mustang	
٠ 5	Rolls Royce engine	
•	FERSONS PRESENT AT SCENE OF ACCIDENT:	
	December of and in the Collider Two Colleges I'm	
	Presently staying in the Holiday Inn, Palmdale, Ch. (Witness)	
	(1.20.200)	* * * * * *
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Another witness, name only,	no personal	contact:		

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SUMMARY:

Summary of information given to the reporting officer, Sgt. by above massed to the air crash. The victim was flying at approximately 5,000 feet, stated on interthat he was going down and run the pylons, and at this time did a slow roll downward apparently made some statement to the effect, "Oh, oh no," and there was an impact. Ly he had applied power (from some of the witnesses) in an attempt to pull cut of the ward spin, however, lacked enough recovery room to negotiate the pull out.

No other information could be obtained from the interview of the above witnesses.

DETAILS:

The Mojave Dispatcher reported to the reporting officer at approximately 1730 hours the there was a downed aircraft at the Mojave Airport on fire.

On responding from the northwest part of Mojave, the reporting officer could observe a billowing upwards from the location east of the runways, exact location could not be a Upon proceeding, it was found that the crash site was approximately 2 miles east of the Mojave Airport in the desert, approximately 1 mile north of Highway 58.

Upon my arrival at the scene, it was observed that parts of the aircraft were still on and were being attended to by members of the Kern County Fire Department, Mojave Stati.

Subsequent information revealed that the plane completely disintegrated, was spread on an area approximately 251 yards east to west and 97 yards north to south. This encirc area containing a large number of very small parts of the sircraft. At the point of it was found that the basic part of the crater was approximately 3' in depth and taper in an easterly direction to a very slight depth, approximately 2 - 3 inches. There was finger prodruding in the crater in a westerly direction. This crater was approximately tapering up to 3 - 4 inches in depth.

Also located at the crash site was a large number of parts of the victim's body. A discussion made indicating some of the locations in reference to a north or northerly direction. Photographs were taken of the crater, the larger part of the victim's body and some other details contained within the area of the parts of the aircraft.

After arriving at the scene of the crash, it was apparent that the pilot of the aircrax was deceased. The Coroner's Office was requested to dispatch a Coroner and Deputy Coroner FERGUSON was dispatched.

Due to the fact that the FAA Officers were in the area conducting their investigation were allowed to continue. Deputy Coroner FERGUSON arrived and took charge of the remains of the body, which was transported to Stickel's Mortuary in Mojave.

The Officers from FAA stated that they were satisfied with their part of the investigation and that they would release the plane to the Ground Crew for final disposition of the

CASE NO.

regining parts of the Ricoraft.

Also located in and about the crash site were two (2) automatic weapons, handguns, do as:

- 1. A Model 59 Smith and Wesson 9 mm automatic, serial # A351420. This weapon contain (1) round under the harmer, no clip.
- 2. An ONC 380 automatic, serial number A 02048. This weapon was fully charged with ammunition, one (1) under the hammer and a full clip.

These weapons were placed into property at the Mojave Substation. Subsequent teletyry will be sent verifying ownership and wants.

At the conclusion of the investigation, at the scene of the crash, Deputy Coroner myself, Sgt. , and witness responded to the Mojave Sheriff's Substati an inquest was conducted by Deputy Coroner FERGUSON, which concluded the investigation this time.

No further action at the writing of this report.

1345 Hours, 6-17-76

Typed by:

APPROX 3' DEEP IN CONTEX OF KINES PAPER 10 8" AT END OF WEST FINGER X & Ochest Foot & hear the X = ENSINE A PARACHUTE PARTLY OPEN X

RECEIVED FA . JUN 2 1 1976 . WE-FSDO-61

NATIONAL TRANSPORTATION SAFETY BOARD

DEPARTMENT OF TRANSPORTATIO

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Statement of Wi<u>tness</u>

The purpose of this statement is intended solely for use in determining the facts, conditions and circumstances, and the probable cause of the subject accident.

	Date JUNE 16-76
I. Place of accident NOTAVE HIRPORT Date :	JUX/E 16-76 Hour ?
II. Aircraft P-5/ FAA Certificate No.	70000
III. What is your name	
IV. Address	92083
V. Occupation FIR CRIFT MFCR. By whom VI. Where were you at the time of the accident EHST EM	employed ASST STA CH.
VI. Where were you at the time of the accident EHSI EM	WOLLDING KI BHOWAS

VII. Tell in your own words what you saw or heard before and at the time the accident occurred.

I was watching two P51s with bingculars, maneuvering about 5 miles East of Mojave Airport at high altitude. Near the end one aircraft did an aileron roll, a good one, too. The second plane appeared to form up to the rear. lead aircraft (piloted by Ken Burnstine) started a left hand 30 degree turn and continued this attitude until it went an extreme nose down spiraling attitude, in which attitude I witnessed the aircraft impact into The final nose down impact. the ground and explode on attitude appeared to start about 5,000 feet above the ground. No aircraft structures or parts were observed departing the aircraft until the time of impact. was no visible fire or flames until the instant of impact with the ground.

STATEMENT

on June 21, 1976, I departed for Ontario district to investigate the maintenance performed on N690F, a NORTH AMERICAN P-51D, which was involved in a fatal accident on June 16, 1976.

plannian Office to inform them that I was going
T reported first to the Ontario District Office to inform them that I was going
to CUINO ATRPORT to gather information on the ultitle which classes
a tid to the transfer at the estated inconcerns.
and the accordant of MOJAVE RINGULE.
was in for a flight check; therefore, I did not ask him what he witnessed.
performed the last annual inspection, as noted in the air-
of the state was the Apple chapter of China. At AERO SPORTS I was informed that
the second to the second to their facility for apolic a veilt but to him but to
UNLIMITED AIRCRAFT, LTD., and they were located two hangars east of AERO SPORTS.
GREIMITED AIRCRAFT, LID., and they were tocated two mangers are
I contacted of UNLIMITED AIRCRAFT and he stated that
L contacted of UNLIMITED AIRCRAFT and he stated that
the aircraft was at BRACKETT FIELD and returned to Chino on Sunday, June 13. The
the second second that a second that the secon
The state of the s
aircraft on Tuesday and Wednesday. The engine was uncowled and cleaned; coolant
the service of the service real aced hose clambs were plantened; and the war plantened the service real servi
East the contest has \$100 % \n 10000
the water pump and was the last one to work on the aircraft. was not
available for interview. I asked if M. D. PRUITT FURNITURE CO., INC.
available for interview. I asked
THE REPORT OF THE PARTY OF THE
also stated that he personally checked the altitlate records and amount of the state of the stat
aircraft on the day it left Chino for Mojave.
After completing my investigation at CHING AIRPORT, I interviewed He works for
procyett RIFID La Verne, California.
the grand stand. He saw the two is the grand stand. He saw the two is si
The state of the s
they made a descending left turn and heading toward the grand stand. As they passed
they made a descending left turn and heading toward the grand the other broke off
over and started a split "S" turn. stated he could picture the arc that
over and started a split "S" turn
the aircraft had to make to complete the maneuver. The aircraft was pointing downward have enough airspace to complete the split "S". The aircraft rolled 180° and started
have enough airspace to complete the split "S". The aircraft rolled 180° and started and it had used half of the airspace available. The aircraft rolled 180° and started and it had used half of the airspace available toward the ground. He contacted Mojave
to pull up and then saw snap over and headed toward the ground. He contacted Mojave
to pure up and then saw shap over and mount
Unicom and informed them of the airplane crash.
had flown in the contractors who were erecting the grand stands and
had flown in the contractors who were caused to Statement of
was parked at the grand stands. He was given an NTSB Form 6120.11, Statement of
Witness, with a return-stamped envelope.

General Aviation Maintenance Inspector June 23, 1976

17:

Statement Concerning Aircraft Accident at INAVE AIRPORT

On 6-17-76 I was at MOJAVE AIRPORT to monitor the MOJAVE AIR RACES. During conversations with several persons on the airport, including eyewitnesses to the Burnstine accident. I was asked if the pilot had made a statement just prior to impact to the effect the aircraft controls had "jammed". With this in mind Inspector and I returned to the accident site to reconfirm, if possible, the fact that all controls surfaces were present at the impact site and that no evidence of control jamming was present.

Our inspection revealed that all portions of the elevator and elevator counter weights, rudder, and alleron control surfaces were present at the impact site. The rudder and elevator controls appeared to have been attached to their respective stabilizers at impact and the empennage control rods and bell cranks were attached to the respective control in the aft fuselabe section. Damage to the control surfaces precluded determination of whether or not rudder and elevator controls were capable of making full control surface movement after the impact.

I could find no evidence to support a theory of control surface separation prior to impact or control surface jamming.

General Aviation Principal Operations Inspector

RECORD OF STATEMENT

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The following is a record of statement by	pilot of
Manufi American DEST MSAATU who was fiving in 104	mation with another
- March 1 And the property of the contract of	G. Dutilotale same
Chine Airport, Chine, California, to Mojave Airpo	rt, Mojave, California,
on June 16, 1976.	
on dance my market	
This conversation was witnessed by Inspectors	
	. General Aviation
District Office, 7120 Hayvenhurst Avenue, Suite 31	6. Van Muys, California,
District Utiles, 7120 dayvenhoust Avendes, bears of	as as follows:
on June 16, 1976, at approximately 1925 PDT, and w	
n a san a san a san a san a san a san a san a san a san a san a san a san a san a san a san a san a san a san a	of Mojave at eight
"I was in trail with him (Burnstine) overhead	- Durnetine called
thousand feet (MSL), indicating 250 knots who	n buthstine cuiltu
who madde he were coing to full DOWET and	(I (I (I)) COMI CII CIIC
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T least he can going suful fast when he rolled	(If Over. I momenteer-
1	i bott car arra ac a
complete well (left) maneuver followed by a (DOTFER TOTT (TETE) cross
hat the around Through this last roll ne U	SULITOURIES COLLEGE OIL
the radio and said, 'No (pause), oh no!' that	: was all he sid."
offered no further statement following	the above and was
Visibly snaken by the occurrence.	
Vidicity Guardin by the observation , , , ,	
The above is true and correct to the best of my ki	nowledge.
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General Aviation Operations Inspector	•
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October 6, 1976

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KENNETH GEBURNSTINE,

OBSTRUCTION OF JUSTICE

Reference is made to your memorandum (RLT:KWM:CLJ:pcp 12-18-707) dated September 3, 1976, in which you requested an investigation of the circumstances surrounding the death of Kenneth G. Burnstine.

Enclosed for your information are two copies of a letterhead memorandum dated September 30, 1976, at Los Angeles, California. You are requested to advise what, if any, further action you desire concerning this matter.

Enclosures (2)

NOTE: Original and one copy forwarded to Criminal Division, S. Department of Justice, by 0-6(B), same date.

NDM: pmg///

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24 OCT 8 1976

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

In,

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BI/DOJ

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